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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q96470

François LE MANER, et al.

National Stage of: PCT/FR2005/050145

Appln. No.: 10/588,716

Group Art Unit: 3754

Confirmation No.: 1158

Examiner: Not Yet Assigned

Filed: August 8, 2006

For:

CLAMPING RING AND LIQUID PRODUCT DISTRIBUTING DEVICE COMPRISING

SUCH A RING (as amended)

SUBMISSION OF ENGLISH TRANSLATION OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

MAIL STOP PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

For the Examiner's convenience, enclosed herewith is a copy of an English translation of the International Preliminary Report on Patentability for the above-identified application. It is noted that the six (6) references cited in the Report were previously listed on the PTO/SB/08 form submitted with the Information Disclosure Statement filed in the U.S. Patent and Trademark Office on August 8, 2006, along with copies of the foreign references.

Respectfully submitted,

Registration No. 43,078

Raja Sal

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

 $\begin{array}{c} \text{Washington office} \\ 23373 \\ \text{customer number} \end{array}$

Date: February 26, 2007

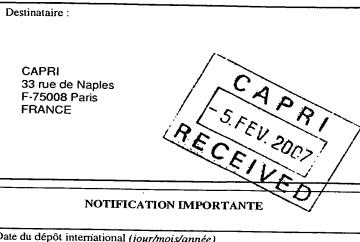
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PCT

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(règles 44bis.3.c) et 72.2 du PCT)



Date d'expédition (jour/mois/année)
01 février 2007 (01.02.2007)

Référence du dossier du déposant ou du mandataire
VALS 838 PCT

Demande internationale n°
PCT/FR2005/050145

Date du dépôt international (jour/mois/année)
03 mars 2005 (03.03.2005)

VALOIS SAS etc

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brevetabilité (chapitre I).

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Il appartient au déposant d'établir la traduction en question et de la remettre directement à chaque office élu intéressé dans le délai applicable (règle 74.1). Voir le volume II du *Guide du déposant du PCT* pour de plus amples renseignements.

Bureau international de l'OMPI 34, chemin des Colombettes 1211 Genève 20, Suisse Fonctionnaire autorisé

Beate Giffo-Schmitt

n° de télécopieur +41 22 338 82 70

nº de télécopieur +41 22 338 82 70

TRANSLATION PATENT COOPERATION TREATY POTT INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or	ngent's file referer	ace.					
Applicant's or agent's file reference VALS 838 PCT			FOR FURTHER ACTION See Form		See Form PCT/IPEA/416		
International application No. Inter		International filing of	late (day/month/year)	Priority date (day/month/year)			
	2005/050		03.03.20		04.03.2004		
International Patent Classification (IPC) or national classification and IPC B65D83/14, B05B11/00							
Applicant							
VALOIS	SAS						
1. This under	report is the inter Article 35 and tra	national prelin	ninary examination re e applicant according	eport, established by this to Article 36.	International Preliminary Examining Authority		
2. This I	REPORT consists	of a total of	5	sheets, includi	ng this cover sheet.		
3. This r	report is also acco	mpanied by Al	NNEXES, comprising				
a. [2	(sent to the	applicant and	to the International B	ureau) a total of 2	sheets, as follows:		
sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).							
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental							
. г	Box.						
b	(sent to the	International L	Bureau only) a total of	(indicate type and numb	er of electronic carrier(s))		
	1				containing a sequence listing and/or tables		
	Section 802 of	o, in computer f the Administi	readable form only, rative Instructions).	as indicated in the Suppl	emental Box Relating to Sequence Listing (see		
4. This r	eport contains ind	lications relatir	ng to the following ite	ms:			
\boxtimes	Box No. I	Basis of the	report				
	Box No. II	Priority					
	Box No. III	Non-establis	hment of opinion with	h regard to novelty, inven	ntive step and industrial applicability		
	Box No. IV		y of invention				
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement						
	Box No. VI	Certain docu	ments cited				
	Box No. VII Certain defects in the international application						
Box No. VIII Certain observations on the international application							
Date of submission of the demand		Date of completion of the	his report				
				_	-		
Name and mailing address of the IPEA/EP				Authorized officer			
Facsimile No.				Telephone No.			

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2005/050145

Bo	No. I	Basis of the report		
1.		n regard to the language, this report is based on the internation cated under this item.	nal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original langua which is the language of a translation furnished for the purp		·
		international search (Rule 12.3 and 23.1(b))		
		publication of the international application (Rule 12.4))	
		international preliminary examination (Rule 55.2 and/	or 55.3)	
2.	rece	a regard to the elements of the international application, this iving Office in response to an invitation under Article 14 are report):	report is based on (replacement e referred to in this report as "c	sheets which have been furnished to the priginally filed" and are not annexed to
		the international application as originally filed/furnished		
	\boxtimes	the description:		
		pages 1-6		as originally filed/furnished
		pages*	received by this Authority on	
		pages*	received by this Authority on	
	\boxtimes	the claims:		
		nos		as originally filed/furnished
		nos.*		er with any statement) under Article 19
		nos.* 1-11		28.12.2005 with letter
		nos.*		
	\boxtimes	the drawings:	•	
		sheets 1/3-3/3	•	as originally filed/furnished
		sheets*		
		sheets*	•	
	\Box	a sequence listing and/or any related table(s) - see Suppleme	•	
2			citial Box Relating to Sequence L	asung.
3.	ш	The amendments have resulted in the cancellation of:		
		the description, pages		·
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as fil	ments annexed to this report and ed, as indicated in the Supplemen	l listed below had not been made, since ntal Box (Rule 70.2(c)).
		the description, pages		
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	m 4 applies. some or all of those sheets may be marked "supe	rseded."	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/FR2005/050145

Bo	x No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
1.	Statement		
	Novelty	y (N) Ctaims 1-11	YES
		Claims	_ NO
	Inventiv	ve step (IS) Claims 1-11	YES
		Claims	_
	Industri	ial applicability (IA) Claims 1-11	
		Claims	
2.	Citations as	nd explanations (Rule 70.7)	
	1.	Reference is made to the following documents:	
	- •	D1: WO 00/41951 A (CROWN CORK & SEAL TECH CORP) 20	
		July 2000 (2000-07-20)	
		D2: FR-A-2 516 058 (CEBAL) 13 May 1983 (1983-05-13)	
		D3: FR-A-2 842 875 (VALOIS SA) 30 January 2004 (200	4
		01-30)	4-
		D4: DE 79 04 531 U (GROTHOFF HANS) 30 April 1980	
		(1980-04-30)	
		D5: GB-A-2 344 621 (BESPAK PLC) 14 June 2000 (2000-	06-
		14)	
		D6: EP-A-0 498 275 (TADA TETSUYA) 12 August 1992	
		(1992-08-12)	
	2.	D1, which is considered to be the prior art closest	to
		the subject matter of claim 1, describes (the	
		references between parentheses apply to said document	t):
		a ring (10) for fastening a dispensing member (90),	
		such as a pump or a valve, onto a neck (20) of a	
		container (29) containing a product to be dispensed,	
		which comprises deformable sealing means (32) engaging	ng
		said neck of said container to fasten said dispensing	3
		member sealingly thereto.	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/FR2005/050145

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Consequently, the subject matter of claim 1 differs from this known fastening ring in that the sealing means comprise two deformable lips.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of improving the seal.

The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)) for the following reasons: D1 discloses only one deformable lip as sealing means, but none of documents D2 to D6 discloses two deformable lips.

- 3. Claims 2 to 11 are dependent on claim 1 and thus also comply, as such, with the PCT requirements of novelty and inventive step.
- 4. Contrary to the requirement of PCT Rule 5.1(a)(ii), the relevant prior art disclosed in D1 has not been indicated in the description, nor has said document been cited.